

SHIPPED: 6-13-62, from Bergen, Norway.

LABEL IN PART: (Drum) Translated from Spanish "Cod Liver Oil With certified color [or "Cod Liver Oil U.S.P."] Each 5 cc contains: Vitamin A 4250 Units and Vitamin D 425 Units * * * Mendez Laboratories of America, Inc., San Juan, Puerto Rico."

RESULTS OF INVESTIGATION: Examination showed that the article in the bulk drums and in the bottles bearing the U.S.P. designation was a golden yellow, non-viscous liquid with the odor of cod liver oil, and that the article in the bottles labeled "with certified color" was a black-colored nonviscous liquid with the odor of cod liver oil, analysis of which showed that it contained External D&C Red No. 14. The article in the bottles was repacked by the dealer and prior to repacking the dealer added color to portions of the article.

LIBELED: 11-29-62, Dist. P.R.

CHARGE: 402(c)—while held for sale, the portion of the repacked article labeled "With certified color" contained External D&C Red No. 14, a color additive, which is unsafe within the meaning of 706(a) since it and its use or intended use were not in conformity with a regulation or exemption in effect; and 403(j)—the repacked article (all bottles) purported to be and was represented as food for special dietary use by reason of its vitamin content and its label failed to bear as required by regulations a statement of the proportion of the minimum daily requirement for vitamins A and D supplied by the article when consumed in a specified quantity during a period of one day.

The article in the drums and in the bottles was alleged also to be misbranded under the provisions of the law applicable to drugs as reported in notices of judgment on drugs and devices, No. 7531.

DISPOSITION: 3-12-63. Consent—claimed by Mendez Laboratories of America, Inc., and released under bond for the purpose of destroying the adulterated material and relabeling the material which was not adulterated but was misbranded.

29394. Dietary food wafers. (F.D.C. No. 49587. S. No. 82-114 X.)

QUANTITY: 32 cases, each containing 12 8-oz. boxes, at Nashville, Tenn.

SHIPPED: Between 8-16-63 and 10-22-63, from Evansville, Ind.

LIBELED: 1-7-64, M. Dist. Tenn.

CHARGE: 402(a) (3)—contained insects while held for sale.

DISPOSITION: 3-13-64. Default—destruction.

29395. Vitamin and mineral food supplements. (F.D.C. No. 49418. S. No. 95-373 V.)

QUANTITY: 373 ctns., each containing 728 mineral tablets and 364 vitamin tablets, at Southfield, Mich.

SHIPPED: Between 5-1-62 and 6-30-62, from Beverly Hills, Calif.

RESULTS OF INVESTIGATION: Examination showed that the article contained less than 78 percent of the labeled amount of vitamin B₁₂ and approximately 79 percent of the labeled amount of vitamin A.

LIBELED: 10-17-63, E. Dist. Mich.

CHARGE: 402(b) (1)—while held for sale, valuable constituents of the article, namely, vitamins A and B₁₂ had been in part omitted or abstracted; and 403(a) the label statement "2 Vitamin Tablets and 4 Mineral Tablets Daily